

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): John McCafferty et al.
App. No.: 10/803,622
Conf. No.: 6206
Filing Date: March 18, 2004

Docket No: 05569.0004.DVUS11
Art Unit: 1639
Examiner: Steele, Amber D
Title: METHODS FOR PRODUCING
MEMBERS OF SPECIFIC BINDING
PAIRS

TERMINAL DISCLAIMER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

Cambridge Antibody Technology Limited (CAT), a British company, Milstein Building, Granta Park, Cambridge CB1 6GH ENGLAND and Medical Research Council (MRC), a British company, 20 Park Crescent, London W1B 1AL ENGLAND (hereinafter the "Owners") are the owners of the entire right, title, and interest in U.S. Patent Application No. 10/803,622 (the "Instant Application"). The assignment was recorded at the U.S. Patent and Trademark Office under Reel 8301, and Frame 0070. The Owners hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the Instant Application, which would extend beyond the expiration date of the full statutory term of any patent granted on co-owned pending Application No. 10/803,653 (the "Reference Application"), as such term is defined in 35 U.S.C. §§ 154 and 173, and as the term of any patent granted on said Reference Application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending Reference Application.

The Owners of the Instant Application hereby agree that any patent so granted on the Instant Application shall be enforceable only for and during such period that it and any patent granted on the Reference Application are commonly owned. This agreement runs with any patent granted on the Instant Application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the Owners do not disclaim the terminal part of any patent granted on the Instant Application that would extend the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 and 173 of any patent granted on said Reference Application, as the term of any patent granted on said Reference Application may shortened by any terminal disclaimer filed prior to the grant of any patent on the pending Reference Application, in the event that any such patent granted on the pending Reference Application expires for failure to pay maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The undersigned is an attorney of record.

The requisite fee in the amount of \$130 under 37 C.F.R. § 1.20(d) should be charged to Deposit Account No. 08-3038. The Commissioner is hereby authorized to charge any additional fees which may be required in this application or credit any overpayment, to Deposit Account No. 08-3038.

Respectfully submitted,
HOWREY LLP

Dated: December 22, 2006

By: 

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